

**BUILDING (SCOTLAND) ACT 1959, section 4**

**Application for Relaxation of Building Standards Regulations**

Before completing this form please read the Notes at the back

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**PART A**

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This application should be sent to the Secretary of State/ .....  
Council\* (see Note 1).

**1. APPLICANT**

Name: .....

Address: .....

.....

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.....

Post Code: .....

Tel. No: .....

**2. AGENT (if any)**

Name: .....

Address: .....

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.....

.....

Post Code: .....

Tel. No: .....

**3. ADDRESS OF BUILDING**  
(in relation to which application is made)

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**4. NAME AND ADDRESS OF OWNER OF BUILDING:-**  
(if different from applicant)

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**PART B**

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5. DETAILS OF APPLICATION:-

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Regulation number and provision of the Technical Standards from which  
dispensation or relaxation is being sought

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Proposed dispensation or relaxation

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Grounds for application

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**PART C (EXISTING BUILDING ONLY)**

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6. State present use of building .....

7. State proposed use of building .....

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**PART D (NEW BUILDINGS ONLY)**

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8. State proposed use of building .....

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**PART E**

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**9. FIRE AUTHORITY**

Is the work being carried out at the request of the Fire Authority?

YES/NO\*

**10. SECTION 10 NOTICE**

Has a notice under section 10 of the Building (Scotland) Act 1959 been served on you? (see note 5)

YES/NO\*

11. If so, give date of notice .....

**12. SECTION 11 NOTICE**

Has a notice under section 11 of the Building (Scotland) Act 1959 been served on you? (see note 5)

YES/NO\*

13. If so, give date of notice .....

**14. BUILDING WARRANT**

Has an application for a building warrant been made?

YES/NO\*

If so, please give date of application and reference number .....

**15. LISTED BUILDING**

Is the building listed as being of special architectural or historic interest, or in a conservation area? (If in doubt the planning authority can advise)

YES/NO\*

16. If so, please state category .....

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**PART F**

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17. I/We\* apply for a direction dispensing with or relaxing those provisions of the Building Standards Regulations set out above [in accordance with any necessary plans (including drawings, specifications and other particulars) submitted with the application]\*. (See note 6).

Signature of applicant/agent\* ..... Date .....

\*Delete as appropriate.

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**PART G**

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The completed application form should be signed and dated, and delivered to the appropriate Area Planning and Building Standards Office at one of the addresses given below.

<p>CAITHNESS  <u><a href="mailto:Planning.sutherland@highland.gov.uk">Planning.sutherland@highland.gov.uk</a></u></p>	<p>Market Square  Wick KW1 4AB</p>	<p>01955 607755</p>
<p>SUTHERLAND  <u><a href="mailto:Planning.sutherland@highland.gov.uk">Planning.sutherland@highland.gov.uk</a></u></p>	<p>Drummuie, Golspie, KW10  6TA</p>	<p>01408 635352</p>
<p>ROSS AND CROMARTY  <u><a href="mailto:Planning.rossandcromarty@highland.gov.uk">Planning.rossandcromarty@highland.gov.uk</a></u></p>	<p>84 High Street, Dingwall,  IV15 9JB</p>	<p>01349 868600</p>
<p>INVERNESS AND NAIRN  <u><a href="mailto:Planning.inverness@highland.gov.uk">Planning.inverness@highland.gov.uk</a></u></p>	<p>1-3 Church Street  Inverness IV1 1DY</p>	<p>01463 720600</p>
<p>BADENOCH AND STRATHSPEY  <u><a href="mailto:Planning.badenoch@highland.gov.uk">Planning.badenoch@highland.gov.uk</a></u></p>	<p>100 High Street  Kingussie PH21 1HY</p>	<p>01540 661700</p>
<p>LOCHABER  <u><a href="mailto:Planning.lochaber@highland.gov.uk">Planning.lochaber@highland.gov.uk</a></u></p>	<p>Fulton House, Gordon Square  Fort William PH33 6XY</p>	<p>01397 707015</p>
<p>SKYE AND LOCHALSH  <u><a href="mailto:Skye.planning@highland.gov.uk">Skye.planning@highland.gov.uk</a></u></p>	<p>King's House, The Green,  Portree, Isle of Skye</p>	<p>01478 612412</p>

#### NOTES

1. Where on application it appears to the Secretary of State or the local authority that it is unreasonable that any provision of the building standards regulations should apply to any particular building, the Secretary of State or the local authority may give a direction relaxing that provision in relation to that building. If you are in doubt to whom your application should be addressed, you should seek advice from your local authority. If your application is to be addressed to the Secretary of State, a copy must also be sent to the local authority.
2. Applications to the local authority should be sent to the address shown at Part G of the form. The local authority can advise you where applications to the Secretary of State should be sent.
3. If the local authority refuse to dispense with or relax the regulations or apply conditions to a relaxation which you find unacceptable you may appeal to the Secretary of State against their decision. You must appeal within 28 days from the local authority's decision by completing Form 3 and sending it to the Secretary of State (see note 2).
4. If the local authority do not give a decision within 2 months of you making the application you may appeal to the Secretary of State following the procedure in note 3.
5. Section 10 of the Building (Scotland) Act 1959 gives powers to the local authority to remove or make a building conform to the building standards regulations where the building was constructed without a warrant, in contravention of the conditions of the warrant, or where the life of a limited life building has expired. Section 11 gives power to the local authority to require buildings to conform to the building standards regulations.
6. The local authority can advise you on what plans, drawings, specifications and other particulars should accompany your application.